IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SECOND DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 21473 of 1999

Between:

Konda Gangaram,

S/o late Konda Syanna, aged about 47 years, Occ: Agriculture,

Chairman School Education Committee Primary School,

Taglepalli village of Varni R.M., Nizamabad District.

..... PETITIONER

AND

1. The Chairman, Education Committee/District Collector,

   Nizamabad.

2. The District Education Officer, Nizamabad.

3. The Mandal Education Officer, Varni Mandal,

   Nizamabad District.

4. The Coordinator/School Education Committee, and The Head

   Master, Primary School, Taglepalli village of Varni Revenue Mandal, Nizamabad District.

5. The Manager, District Cooperative Central Bank, Varni Branch,

   Nizamabad District.

6. Mastari Manikyam, S/o Ganesam, R/o Thagalapalli village, Varni Mandal,

Nizamabad District.

(R-6 is impleaded as per Court order dated 18-04-2000 in WPMP No.2166 of 2000)

.....RESPONDENTS

Petition filed by the petitioner under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate Writ Order or direction, particularly one in the nature of Writ of Mandamus (1) to declare the action of Convenor/Head Master in not allowing the petitioner to function as the Chairman is contrary to Act 13 of 1998 and Rules made thereunder violative of Articles 14,19 and 21 of the Constitution of India; (2) to direct the Convenor/Head Master to continue the petitioner as the Chairman of School Committee of Taglepalli village and (3) to award costs.

Counsel for the Petitioner: Mr.Serta Pandari (Not present)

Counsel for the Respondents 1 & 2: G.P. for School Education.

Counsel for the Respondent No.3: Mr.P.Raghavender Reddy

Counsel for the Respondents 4 & 5: None appeared

Counsel for the Respondent No.6: Mr. Ravi Kiran Rao.

The Court made the following:

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O R D E R:

None appears for the petitioner.

Heard the learned Government Pleader appearing for the respondents 1 to 3.

The writ petition is filed seeking a declaration that the action of the Convenor/Head Master in not allowing the petitioner to function as chairman of the School Committee is contrary to the provisions of the Andhra Pradesh School Education (Community Participation) Act 13 of 1998 and the Rules made thereunder.

While directing notice to the respondents, this Court, by order 13-10-1999, directed that *status quo* prevailing as on that date should be maintained and the said order has been in operation till date. Now, it is brought to my notice by the learned Government Pleader appearing for respondents 1 to 3 that as per Section 5(4) of the Act 13 of 1998, the term of the office of the members of the School Committee is only two years and since the term of the School Committee constituted in the year 1998 expired long back, nothing survives for adjudication on merits. In view of the same, the writ petition is liable to be dismissed as having been rendered infructuous.

The writ petition is accordingly dismissed. No costs.

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(G. ROHINI, J)

Date: 22-12-2004

ghn

To

1. The Chairman, Education Committee/District Collector,

   Nizamabad.

2. The District Education Officer, Nizamabad.

3. The Mandal Education Officer, Varni Mandal,

Nizamabad District.

4. The Coordinator/School Education Committee, and The Head

Master, Primary School, Taglepalli village of Varni Revenue Mandal, Nizamabad District.

5. The Manager, District Cooperative Central Bank, Varni Branch,

Nizamabad District.

6. Two CCs to the Government Pleader for School Education, High Court Buildings, High Court of A.P., Hyderabad (O.U.T.)

7. Two CD copies.